

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF JACKSON

CP FEDERAL CREDIT UNION,

Plaintiff,

Jackson County No. 19-0502-CB  
Ingham County No. 19-001362-VJ-C30

v

WILMORT ENTERPRISES, LLC,  
IVAN D. BROWN and THOMAS WILSON,  
jointly and severally,

Defendants.

**OPINION AND ORDER FOR  
INSTALLMENT PAYMENTS**

At a session of said Court held in Lansing, Ingham  
County, Michigan, on April 9, 2021

PRESENT: Honorable Joyce Draganchuk  
Ingham County Circuit Judge  
sitting in Jackson County by  
assignment

Plaintiff filed a motion for monthly installment payments of \$840 from Defendant Ivan D. Brown, pursuant to MCL 600.6107(1). Defendant filed an answer and claimed an inability to work or to make any installment payments. Defendant is a licensed attorney and member of a firm, but he has been restricted from working during the pandemic and because of a potentially life-threatening health diagnosis.

At the first hearing on the motion, the Court ordered Defendant to provide a statement of his monthly income and expenses. At the second hearing on the motion, the Court was unable to rule because the statement of income and expenses had been provided only to Plaintiff's counsel. It has now been provided to the Court for in camera review.

MCL 600.6107(1) requires the Court to consider Defendant's income and expenses. The income and expense statement that Defendant submitted is lacking clarity. Under income, he lists a gross amount and an amount for Federal taxes, which the Court can only conclude must be a refund. Dividing these amounts by 12 does not equal the income per month that Defendant lists.

Among his expenses, Defendant claims that he will have to purchase health insurance from the exchange. However, this Court is quite certain that the most recently passed COVID relief package ensures that nobody will have to pay for insurance on the exchange. It would be expected that any list of expenses would be complete, but Defendant claims he omitted two credit card monthly payments of \$100. All of this casts some doubt on the overall accuracy of the information submitted. Nevertheless, the Defendant's stated yearly income and tax refund is sufficient to meet and even exceed the monthly expenses listed.

Based on the Court's calculation of Defendant's monthly income, even taking into account Defendant's tax bracket, the Court concludes that Defendant should pay \$400 per month to Plaintiff commencing on May 1, 2021.

/S/  
Joyce Draganchuk (P39417)  
Circuit Judge

#### **PROOF OF SERVICE**

I hereby certify that I served a copy of the above Order upon the attorneys of record by placing said document in sealed envelopes addressed to each and depositing same

for mailing with the United States Mail at Lansing, Michigan, as well as by email, on April 9, 2021.

/S/

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Michael Lewycky  
Law Clerk/Court Officer